

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

REGINALD GREGG,	:	CIVIL ACTION
Petitioner,	:	
vs.	:	
	:	
SUPERINTENDENT KERESTES;	:	NO. 09-3514
DISTRICT ATTORNEY OF THE COUNTY	:	
PHILADELPHIA LYNNE ABRAHAM; and,	:	
THE ATTORNEY GENERAL OF THE	:	
STATE OF PENNSYLVANIA,	:	
Respondents.	:	

O R D E R

AND NOW, this 12th day of January, 2010, upon consideration of the Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 filed by Reginald Gregg (Document No. 1, filed August 3, 2009), and after review of the Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated December 22, 2009 (Document No. 10), Petitioner's Objections to Report and Recommendation of Magistrate Judge (Document No. 11, filed December 30, 2009), and the record in this case, for the reasons set forth in the attached Memorandum, **IT IS ORDERED** as follows:

1. The Report and Recommendation of Chief United States Magistrate Judge Thomas J. Rueter dated December 22, 2009, is **APPROVED** and **ADOPTED**;
2. Petitioner's Objections to Report and Recommendation of Magistrate Judge are **OVERRULED**;
3. Petition for Writ of Habeas Corpus by a Person in State Custody pursuant to 28 U.S.C. § 2254 filed by Reginald Gregg is **DISMISSED AND DENIED**; and,
4. A certificate of appealability will not issue because reasonable jurists would not debate whether the petition states a valid claim of the denial of a constitutional right or this Court's

procedural rulings with respect to petitioner's claims. See 28 U.S.C. § 2253(c)(2); Slack v. McDaniel, 529 U.S. 473, 484 (2000).

BY THE COURT:

/s/ Jan E. DuBois

JAN E. DUBOIS, J.